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December 21, 2020

By ECF

Hon. Edgardo Ramos
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: United States v. El Gammal
15 Cr. 588 (ER)

Dear Judge Ramos:

I am writing with reference to the application for compassionate release that I filed today on behalf of defendant Ahmed Mohammed El Gammal. I am a member of the Second Circuit Criminal Justice Act (CJA) Panel and was assigned to represent Mr. Gammal on appeal. I am not a member of this Court's CJA Panel.

I do not know if a separate appointment is necessary to permit me to appear for Mr. Gammal in this Court. When I contacted your Honor's chambers earlier today, I was referred to the office of the Southern District CJA Clerk and I made an inquiry on this subject by email, but I have not yet received a response from that office. Given the nature of the present application, which is based on the heightened risk of severe illness, death or other complications Mr. Gammal faces as a consequence of his medical profile and an alarming surge of positive coronavirus cases at the BOP facility at which he is incarcerated, I decided to file it without awaiting clarification regarding the appropriate way for me to proceed. In the memorandum that was just filed I indicated, based on the figures that appeared on the BOP website as of last Friday that the number of positive cases at FCI Phoenix had increased from 24 to 149 over the course of the previous week; I have just consulted the same site (<https://www.bop.gov/coronavirus>) and it now reports that the number has more than doubled, to 303 positive cases.

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If a separate appointment is necessary to permit me to appear on Mr. Gammal's behalf for purposes of this action, I ask that your Honor approve such an appointment or any other procedural step necessary to ensure that the present application can be considered as soon as possible.

Respectfully,

/s/

Jeremy Gutman
Attorney for Defendant
Ahmed Mohammed El Gammal